

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ORRIN WOODWARD and
CHRIS BRADY,

Plaintiffs,

Case No.
Honorable

vs

EVGENIY CHETVERTAKOV, GLOBAL
GURUS, INC., and JOHN DOE.

Defendants.

COMPLAINT

Plaintiffs Orrin Woodward and Chris Brady, through their undersigned attorneys, file this action against Defendants Evgeniy Chetvertakov, Global Gurus, Inc. and John Doe and for their complaint against the Defendants state the following:

THE PARTIES

1. Plaintiff Orrin Woodward (“Woodward”) is a citizen of the State of Florida and a part-time resident of the State of Michigan.

2. Woodward currently serves, and at all relevant times served, as a leader of Living for Excellence, LLLP (“LIFE”), a Florida limited liability limited partnership which has its principal place of business in Flint, Michigan. LIFE provides leadership and personal self-improvement materials to business executives, entrepreneurs, church leaders, community service leaders and other members of the public through individual sales, monthly subscriptions, live events and the LIFE Community. LIFE does business in the State of Michigan and throughout the United States.

3. Woodward also serves, and at all relevant times served, as a leader of Signature Management Team, LLC (“TEAM”), a Nevada limited liability company which has its principal place of business in Flint, Michigan. TEAM offers leadership support materials, education and training for businesses and entrepreneurs. TEAM does business in the State of Michigan and throughout the United States.

4. In addition, Woodward does business individually in the State of Michigan and throughout the United States as an author and speaker.

5. Plaintiff Chris Brady is a citizen of the State of North Carolina and a former resident of the State of Michigan. Brady currently serves, and at all relevant times served, as a leader of LIFE and TEAM.

6. In addition, Brady does business individually in the State of Michigan and throughout the United States as an author and speaker.

7. Upon information and belief, Defendant Evgeniy Chetvertakov (“Chetvertakov”) is a citizen or subject of a foreign state residing at 121 Arundel Road, Birmingham, Great Britain, B14 5UE. Chetvertakov is the registrant of an Internet domain known as Global Gurus. The registrant email for this domain is info@globalgurus.org.

8. Upon information and belief, Chetvertakov operates a website known as Global Gurus Top 30 Leadership (“the Global Gurus Website”), which can be found at <http://leadershipgurus.net>. The Global Gurus Website lists an address at 35 Pendwyallt Road, Burnside DD8 5QN and a phone number of 077 1823 4020. The Global Gurus Website “privacy policy” also refers to an Internet address at www.leadershipgurus.org and its “terms of use” welcome users to the “Global gurus, Inc. web site.”

9. The Global Gurus Website identifies and promotes the Top 30 Gurus in the leadership field, as well as in the areas of management, communication, sales, coaching, hospitality and brand. The Global Gurus Website claims to have “over 22,000 monthly visitors” to the Leadership Gurus site and “over 50,000 monthly visitors across all guru sites.”

10. The Global Gurus Website purports to identify, research and evaluate candidates for its Top 30 Leadership Gurus list and solicits voting through a log-in screen on the Website. When persons navigate the Website, they are exposed to commercial advertisements which encourage them to purchase the products of advertisers. They are also exposed to various other promotions and enticements.

11. Upon information and belief, Defendant Global Gurus, Inc. is an entity associated with the Global Gurus Website and with Chetvertakov. Global Gurus, Inc.’s state of incorporation and principal place of business is unknown to Plaintiffs. Defendant Global Gurus, Inc. may be the alter ego of Chetvertakov and/or Chetvertakov may be doing business as Global Gurus, Inc.

12. Upon information and belief, Defendant John Doe is an individual associated with Chetvertakov, with Global Gurus, Inc., and/or with the Global Gurus Website. Chetvertakov and/or Global Gurus, Inc. may be the pseudonym and/or alter ego of John Doe and/or John Doe may be doing business as Chetvertakov and/or Global Gurus, Inc. John Doe’s actual name and address is unknown to Plaintiffs.

13. Together, Chetvertakov, Global Gurus, Inc. and/or John Doe oversee and operate the Global Gurus Website and will sometimes be hereinafter collectively referred to as “Global Gurus” or “Defendants.”

JURISDICTION AND VENUE

14. Plaintiffs incorporate paragraphs 1-13 above as though fully set forth herein.

15. Subject matter jurisdiction exists in this Court pursuant to 28 U.S.C. § 1332(a)(2) in that this action is between citizens of a state and citizens or subjects of a foreign state, and the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs.

16. Personal jurisdiction over Chetvertakov, Global Gurus, Inc. and John Doe is proper in this Court pursuant to MCL 600.705, MCL 600.711, MCL 600.715 and Fed R. Civ. P. 4(k)(1)(A). Defendants have purposefully availed themselves of the Michigan forum through the oversight and operation of the Global Gurus Website, the activities of which include but are not limited to: research and evaluation of candidates for the Top 30 Leadership Gurus list; solicitation of voting by members of the public (including Michigan citizens) who are encouraged to log-in to the Website to vote for Gurus' candidates; solicitation and placement of commercial advertisements on the Website; placement of Website links to advertisers who offer specific items for sale on the Website; and creating and devising various Website promotions.

17. Further, the tortious acts which form the basis for this action were intentional; were undertaken with actual or imputed knowledge of the Michigan-based businesses of LIFE and TEAM, and of Woodward's and Brady's leadership of and association with LIFE and TEAM, and of Woodward's and Brady's national authorship and speaking activities, including in the State of Michigan; and were thereby expressly aimed at this State and witnessed by residents of this State. Because the principal place of business of the businesses of LIFE and TEAM are located in Flint, Michigan, the injuries were felt in this State. Further, the injuries to the individual business interests of Woodward and Brady were felt in this State.

18. The assertion of personal jurisdiction over Chetvertakov, Global Gurus, Inc. and John Doe in this State comports with due process and the United States Constitution.

19. Venue is proper in this Court pursuant to 28 U.S.C. §1391(b)(3), (c)(2), and (c)(3).

GENERAL ALLEGATIONS

20. Plaintiffs incorporate paragraphs 1-19 above as though fully set forth herein.

21. Woodward and Brady are highly regarded in the fields of leadership, business and community-building as speakers, authors, mentors, coaches and motivational trainers both individually and as leaders of TEAM and LIFE. Their influence extends throughout Michigan and to every state in the United States.

22. Woodward's and Brady's success is built upon their reputation, character, intellect, leadership and achievement. Their book *Launching a Leadership Revolution* is a New York Times Business, Wall Street Journal, USA Today and Business Week best-seller. Together and individually, they have authored numerous other books on the subject of leadership, self-improvement, motivation, business development and related fields. Most recently, *Leadershift: A Call for Americans to Finally Stand Up and Lead*, which Woodward coauthored with Oliver DeMille, reached number 12 on the New York Times best-seller list and number two on the Wall Street Journal best-seller list in just a week or so of *Leadershift's* release.

23. In addition to numerous other vendors, the publications authored by Woodward and Brady are sold by LIFE and TEAM. Woodward and Brady are also frequent speakers at events sponsored by LIFE and TEAM. Woodward and Brady receive royalties on the sale of the books they author and likewise receive fees for speaking engagements.

24. The Global Gurus Website states that candidates are identified by sending emails to 22,000 business people, consultants, academics and MBAs around the world and through public opinion polls. See <http://globalgurus.org/index.php> (Exhibit A).

25. The Global Gurus Website states that the criteria for judging Global Gurus' candidates focuses on public opinion, originality of ideas, impact of original ideas, practicality of ideas, presentation style, number of publications and writings, and the "Guru factor." See <http://leadershipgurus.net/leadershipgurus30.php> (Exhibit A).

26. In 2010, Global Gurus identified Woodward and Brady as potential candidates for its Top 30 Global Gurus Leadership list.

27. Nominees are contacted by Defendants and encouraged to solicit others to vote for them by logging into the Global Gurus Website, which also contains commercial advertisements of various kinds. To drive traffic to the site for voting, Global Gurus sends emails to leadership candidates which state the following:

Dear Global Guru Candidates

We are finalizing the ranking for 2012. And your originality, works and impact have qualified you as one of the world's top 30 Leadership gurus. And as you know, 40% of the ranking is based on peer voting.

So, please get your fans to vote for you at: www.leadershipgurus.net. The final calculations will be completed by March 1st. We will inform you individually when we tabulate the results.

28. Woodward and Brady were elected to the Top 30 Global Gurus Leadership list in 2010 (Exhibit B), in 2011 (Exhibit C) and in 2012, and in fact were recently among the top 15 leaders on that list (Exhibit D).

29. Persons elected to the Top 30 Global Gurus Leadership list, including Woodward and Brady, are encouraged to use the Top 30 designation as an endorsement on biographical, promotional and published materials.

COUNT I
DEFAMATION
(INCLUDING BUSINESS DEFAMATION AND
DEFAMATION BY IMPLICATION)

30. Plaintiffs incorporate paragraphs 1-29 above as though fully set forth herein.

31. In or about January 2013, the Global Gurus Website abruptly removed Woodward and Brady from the Top 30 Global Gurus Leadership list and broadcast the following false and defamatory statement about them on the Global Gurus Website (“the Initial Statement”):

And, when we added an IP address checker to our system this year, two Guru candidates listed in the top 15, Orrin Woodward and Chris Brady, who have had substantial votes since 2010 were **disqualified** and removed from the list because more than 98% of their votes came from only three IP addresses, meaning that only three people voted for them over and over again. This accounted for almost 2000 of their votes.

32. Upon information and belief, at some point the Initial Statement was removed from the Global Gurus Website.

33. Subsequently, a modified version of the Statement (“Modified Statement”) appeared on the Global Gurus Website, and continues on the site as follows:

And, when we added an IP address checker to our system this year, two Guru candidates listed in the top 15, Orrin Woodward and Chris Brady, who have had substantial votes since 2010, were **disqualified** and removed from the list because during the months of August to October more than 98% of their votes came for [sic] only three IP addresses, meaning that only three people voted for them over and over again. Each had more than 900 votes from these IPs during the specified time.

But 2013 is a new year, with great promise for those Global Gurus who would make our work and world a better place with works that propel our leadership to greater heights.

<http://leadershipgurus.net/leadershipgurus30.php> (Exhibit E).

34. The Initial Statement and/or the Modified Statement (collectively “Statements”) remain in plain view of what the Global Gurus Website alleges to be its over 22,000 monthly visitors to the Leadership site and its over 50,000 monthly visitors across all gurus sites.

35. The Statements were picked up from the Global Gurus Website and re-broadcast on other Internet websites as well, including an anonymous blogger who has linked to the Global Gurus Website and/or to a snapshot of the Statements on the Global Gurus Website, and who has made such further untrue and injurious statements as the following, among others:

Clearly, the people responsible for the Leadership Gurus site learned that they've been hoodwinked by Orrin Woodward, Chris Brady, and their followers. Good for them!

See e.g., <http://amthrax.wordpress.com/2013/01/09/paging-orrin-woodward-iab-shut-down-by-the-ftc-and-leadership-guru-status-revoked/>. One or more persons have also sent Facebook messages to the effect that they had “just read that Orrin and Chris were deleted from the Leadership Guru site for fraudulently voting themselves on...”

36. The Statements wrongfully and maliciously impute dishonest, fraudulent, and improper behavior to Woodward and Brady with respect to the votes they received for election to the Top 30 Gurus Leadership list.

37. The Statements imply that Woodward and Brady achieved their places on the Top 30 Global Gurus Leadership list dishonestly, through fraudulent and improper behavior relating to the votes they received.

38. As applied to Woodward and Brady, the Statements are false, defamatory, and highly injurious to their reputation and business interests, both individually and through the business interests of LIFE and TEAM.

39. Defendants made the Statements wrongfully, maliciously, intentionally and/or negligently.

40. Defendants are not privileged to make the Statements.

41. Through a letter to Chetvertakov dated January 23, 2013 (Exhibit F), Woodward and Brady demanded an immediate retraction and removal of the Statements in writing but the

Statements have not been retracted or removed. Woodward and Brady also requested proof regarding the allegations made in the Statements but no proof has been provided. Chetvertakov did not respond at all to the January 23, 2013 letter.

42. Because the false and defamatory Statements injure Woodward and Brady in their business, the Statements are defamatory per se.

43. Because the false and defamatory Statements untruthfully impute fraudulent conduct to Woodward and Brady, the Statements are defamatory per se.

44. The false and defamatory Statements are harmful to the credibility, reputation and business of Woodward and Brady, and have: (1) lowered them in the estimation of the community, (2) damaged them in their professional work and endeavors, and (3) adversely affected Woodward and Brady's business interests individually and as leaders in LIFE and TEAM.

45. As a direct and proximate result of the Statements and Defendants' refusal to remove and retract the Statements, Woodward and Brady have incurred and are continuing to incur significant loss of reputation, business and profits in an amount that cannot presently be determined or remediated by compensatory damages.

COUNT II
INJUNCTIVE RELIEF

46. Plaintiffs incorporate paragraphs 1-45 above as though fully set forth herein.

47. Woodward and Brady have been, and continue to be, irreparably harmed by the Statements both in terms of damage to their reputations and in their business interests.

48. The Statements are also causing irreparable harm to the many thousands of people and members of the public who are associated with Woodward and Brady and the businesses of Woodward and Brady.

49. The public has been deceived and misled by the Statements.

50. Because the Statements are false, defamatory and unprivileged, harmful and defamatory per se, Woodward and Brady have a high likelihood of success on the merits of their claims.

51. Defendants will not be harmed if they are required to retract and remove the Statements from the Global Gurus Website, and to obtain removal and retraction of the Statements, and any reference to the Statements, from any other website, social media site or domain at which they appear.

52. Removal of the Statements is in the public interest.

53. Preliminary and permanent injunctive relief is required.

REQUEST FOR RELIEF

WHEREFORE, Plaintiffs Orrin Woodward and Chris Brady request this Court to do the following:

- a. Grant preliminary and permanent injunctive relief requiring Defendants Evgeniy Chetvertakov, Global Gurus, Inc. and John Doe to expressly retract and remove the Statements from the Global Gurus Website and enjoining them and all persons and entities who act in concert with them from making such Statements or similar Statements;
- b. Directing Defendants Evgeniy Chetvertakov, Global Gurus, Inc. and John Doe to arrange for and direct the removal and retraction of the Statements and any other postings, text, language, comments or descriptions which refer to the Statements from any other Internet website, social media site or domain at which they appear;

- c. Grant preliminary and permanent injunctive relief requiring other website hosts, operators, entities and others who have published, summarized, or referenced the Statements (“Others”) to expressly retract and remove them, and enjoining the Others and all persons and entities who act in concert with them from making such Statements or similar Statements;
- d. Enter judgment against Defendants Evgeniy Chetvertakov, Global Gurus, Inc. and John Doe in favor of Orrin Woodward and Chris Brady with interest, costs and attorney fees as allowed by law; and
- e. Grant such further and other relief as the Court deems proper.

Respectfully submitted,

KERR, RUSSELL AND WEBER, PLC

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